

To: Vallejos, Cinna[vallejos.cinna@epa.gov]
Cc: Anthofer, Wayne[Anthofer.Wayne@epa.gov]; Hulstein, Sarah[hulstein.sarah@epa.gov]; Sisk, Richard[Sisk.Richard@epa.gov]; Hall, Katherin[hall.katherin@epa.gov]
From: Gleason, Michael
Sent: Tue 8/18/2015 9:24:06 PM
Subject: FW: CDPHE - La Plata County PO - \$200,000

Cinna,

Katherin Hall asked me to review the email below as she is dealing with another pressing GK issue.

Attorney Client/Ex. 5

Thanks!

Michael P. Gleason

Associate Regional Counsel

U.S. Environmental Protection Agency, Region 8

1595 Wynkoop Street

Denver, CO 80202-1129

(303) 312-6898

From: Hall, Katherin
Sent: Tuesday, August 18, 2015 1:20 PM
To: Gleason, Michael
Subject: FW: CDPHE - La Plata County PO - \$200,000

As discussed.

From: Anthofer, Wayne
Sent: Tuesday, August 18, 2015 12:44 PM
To: Hall, Katherin
Subject: FW: CDPHE - La Plata County PO - \$200,000

Katherin, you were not included on this, there are some items that will need to be reviewed.
Thanks. Wayne

From: Hulstein, Sarah
Sent: Tuesday, August 18, 2015 12:29 PM
To: Anthofer, Wayne
Subject: FW: CDPHE - La Plata County PO - \$200,000

FYI -

From: Kathleen Lyon [<mailto:lyon@lpcattorney.org>]
Sent: Tuesday, August 18, 2015 10:55 AM
To: Jamison - CDPHE, Doug; daniel.huse@state.co.us; Vallejos, Cinna; Vallejos, Cinna; Hulstein, Sarah; Sisk, Richard
Cc: Sheryl Rogers; Diane Sorensen; Chris Heydinger
Subject: CDPHE - La Plata County PO - \$200,000

This email is being sent to confirm the details of the items discussed during conference calls on Friday regarding the purchase order from CDPHE to La Plata County for \$200,000.00.

Based on the notes from the La Plata County staff, the following items were confirmed:

1. The end date for the purchase order is being extended through December 31, 2015. A modified purchase order will be prepared and sent with this information.
2. With regard to the information the County is required to provide to CDPHE for reimbursement, the only documentation required with each submittal is a letter with a general outline of the work performed, together with an invoice for personnel time (at applicable County rates), supplies, equipment and other expenses.
3. With regard to procurement code requirements, the County may acquire goods and services under the purchase order in accordance with its adopted procurement code and policies (without regard to federal requirements), as the EPA and CDPHE will approve all ongoing incident costs based on the use of the La Plata County's procurement code.
4. Compensation costs (including, but not limited to wages and fringe benefits) of the County Manager, Sheriff and Sheriff's Department deputies are pre-approved allowable response costs when such costs are based on participation in the response efforts for the incident, and not merely a general governmental expense or oversight role.
5. Meal reimbursement has been approved by the EPA as a cost of operating the command/operations center.
6. With regard to the MBE/WBE form, it needs to be filled out and submitted with each invoice from the County.
7. Notwithstanding language in the Additional Provisions (Exhibit B):
 - a. The County may submit invoices for payment once every two weeks.
 - b. The County is not required to obtain billing rate approval from the EPA or to submit any such documentation to CDPHE.
 - c. The County is not required to submit certified payrolls as documentation with its invoices. The County will provide receipts or other documentation that it has for expenses incurred.

I am asking both CDPHE and the EPA to both confirm that this information is correct. If any

correction is needed, please reply with that information as well.

Further, I am asking that the provisions in Exhibit B, Additional Provisions, that do not apply to the County be deleted (or amended, with regard to timing of payments).

We are still in the process of reviewing the Additional Provisions with regard to the laws mentioned and have requested information and assistance from Ms. Sisk in determining what provisions are applicable to us in this situation (and which may be deleted from the Additional Provisions).

Thank you for your ongoing assistance with this matter.

Kathleen Lyon

Assistant County Attorney

La Plata County Attorney's Office

1099 Main Ave., Suite 313

Durango, CO 81301

Phone: (970) 382-8600

Fax: (970) 382-8602

lyon@lpcattorney.org

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